

**City of Saratoga Springs
Planning Commission Meeting
May 26, 2016**

Regular Session held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Minutes

Present:

Commission Members: Kirk Wilkins, Sandra Steele, Hayden Williamson, David Funk, Ken Kilgore, Troy Cunningham, Brandon MacKay
Staff: Kimber Gabryszak, Planning Director; Gordon Miner, City Engineer; Jamie Baron, Planner 1; Kara Knighton, Planner 1; Nicolette Fike, Deputy Recorder
Others: Paula Heaton,

Call to Order - 6:30 p.m. by Chairman Kirk Wilkins

- 1. Pledge of Allegiance** - led by Commissioner Williamson
- 2. Roll Call** – A quorum was present
- 3. Public Input**

Public Input Open by Chairman Kirk Wilkins
No input was given tonight.
Public Input Closed by Chairman Kirk Wilkins

- 4. Public Hearing: Rezone from Agriculture to R-4 and Concept Plan for Mountain View Estates II, located approximately 700 West 400 North, Brian Sudweeks, applicant.**

City Planner Baron presented the plans. The applicant is requesting a Rezone from Agricultural (A) to Low Density Residential (R-4) of 6.287 acres of property located at approximately 700 West 400 North. The Concept Plan was included for informal review. They are looking at the pond and existing trail to be included in open space and payment in lieu for the remaining area.

Public Hearing Open by Chairman Kirk Wilkins

Paula Heaton wanted to remind the city that their agricultural property is nearby with grandfathered rights and they would like to have something done which would warn the developer and potential owners of the agricultural property in the area. She also expressed safety concern for the nearby canal.
Public Hearing Closed by Chairman Kirk Wilkins

Brian Sudweeks, applicant, commented that they would be installing a fence next to the canal and on the east side of the trail as well. He would have no problem with a note on the plat to notify owners of the agricultural property nearby.

Commissioner Kilgore asked if the City Council would be in favor of the payment in lieu. Staff responded that they believed they would

Commissioner Williamson asked if they planned on a turnaround at the end of the road. Brian Sudweeks replied they did not plan on a turn around. Planner Baron commented that it currently met city code.

Commissioner Funk asked staff to comment on why it would be R4 instead of R3. Planner Baron replied if they went with larger lots it would have taken away property needed for the pond. Commissioner Funk

noted that he was opposed to fee in lieu, in general for anyone, and was concerned that the distance between houses was smaller than normal. Planner Baron replied they would have to meet all setback requirements. Commissioner Funk asked what was going in Parcel C. Planner Baron replied that the developer would just be maintaining it until we knew if UDOT would need it for Mountain View Corridor.

Commissioner Steele received clarification that there was not a landlocked parcel being left, it was owned by Alpine District.

Commissioner Wilkins asked in the event that Parcel B was not needed, would they continue the road through there. Brian Sudweeks replied that the ponds would go in parcel B, the payment in lieu was because they needed to keep the parcel large enough to meet the City's needs. There are parks and trails already in the area that he feels meet the needs of the smaller lot.

City Engineer Miner advised that the City is very interested in that parcel there to take the water from the canal there and put it into the system.

Motion made by Commissioner Williamson to forward a positive recommendation to the City Council for the proposed rezone from Agricultural to R-4 for property located at approximately 700 West 400 North, based on the findings and Conditions listed in the staff report. With the additional condition that we place a note on the plat informing future owners of the use of agricultural around them. Seconded by Commissioner Kilgore. Aye: Sandra Steele, Hayden Williamson, Kirk Wilkins, Ken Kilgore, Troy Cunningham, Brandon MacKay. Nay: David Funk. Motion passed 6-1.

5. Work Session: Mixed Waterfront Code Amendments.

City Planner Knighton advised that as currently written the zone fails to place adequate requirements to protect the environment and wildlife, while not sufficiently incentivizing the type of development that will encourage and provide public interaction with the waterfront. As currently written the Mixed Waterfront zone has a minimum lot size of one acre (43,560 sq. ft.) with a land area mix of 80% residential and 20% commercial. Staff recommends that the percentages be removed to allow additional commercial square footage in smaller developments as appropriate. Other proposed amendments were: Setbacks specific to multifamily and other development including mixed use and commercial were added for greater clarity; multiple development standard sections were added to mitigate impacts of development; Open space has some proposed amendments including requiring 25% for the overall project area with 10% of that 25% to be specifically applied to the residential areas.

Planning Director Gabryszak noted that at the time this was brought forward they had noted that the old mixed lakeshore wasn't bringing in the desired types of development. City Council asked that they compare other cities that have done this well. They are trying to make sure this zone is functional.

Commissioner Williamson would prefer to see more businesses near the waterfront instead of residential units. Planning Director Gabryszak responded they wanted to see more of the residential density and businesses by the water. It takes both residential and businesses to create the vibrancy.

Commissioner Steele asked if we take away the percentages then how do we get the commercial in there instead of just residential. Planning Director Gabryszak replied that they had been brainstorming on how to put a number on it that would help a smaller property owner and not penalize a large. They could put a matrix of densities with bonuses for certain things.

Commissioner Kilgore asked what the incentive for a developer to develop mixed waterfront would be and the incentive matrix is a good idea. In response to questions from Commissioner Kilgore staff clarified the reasoning behind some of the changes made. Home occupancy was removed because of repetition. Minimum dwelling size was changed as a 600 sq. ft. apartment is standard. 50% of the façade is dedicated to windows as along the trail corridor and you want to have pedestrian safety where there are eyes on the

trail, it also makes it friendlier. Building standards for enclosed parking for things like earthquake are in the building code and engineering standards.

Commissioner Steele asked if we would be able to maintain site triangle with the 10 feet. Planning Director Gabryszak replied they would still need to meet the site triangle. Commissioner Steele commented that we need to make some minimum dimensions. She asked if they should put something in on fencing so they get semiprivate fencing along trails. Planning Director Gabryszak replied that we have that under the fencing code, we may need to write exceptions for areas where we are ok with no fencing. We want to make sure there is some delineation between property and open space. Planning Director Gabryszak said they are also trying to see the buffer overlay on the whole length of the river and lake that will have its own set of rules as well.

Commissioner Funk received clarification that after you take out the landscaping requirements then you have a fairly small lot left for commercial, which is where incentivizing may be helpful. He commented that some of the areas on the Jordan River parkway have some nicer spots. He noted that while he enjoys the open space along a trail, if you make some kind of matrix that cuts down on landscape space, keep in mind part of the open space concept is already there because of the river and the lake. Because of that he is more inclined to be more flexible.

In response to a question by Commissioner Wilkins, Planning Director Gabryszak noted that the state is not allowing private docks; they began work on shared docks, but didn't finish with their regulations.

Commissioner Kilgore asked when a development has a zone for mixed use, why do they prefer to build more residential. Planning Director Gabryszak replied part of it is we don't provide the density needed to offset the cost. Another reason may be that some developers do only the residential because it is their market; it's less of a risk for them.

6. Work Session: Discussion of Code and Vision.

Planning Director Gabryszak went over a few proposed amendments coming up and got some feedback from the commissioners. They are recreating an open space zone and include parks. A big part of that is signage, if parks have an event they can't really put up signs. Rezoning things like churches and fire stations to institutional/civic (IC). They are looking at creating Community Commercial zone. They are working to calculate ERU's for facilities that allowed in residential zones.

Temporary Uses - look at temporary uses for things like ice-cream trucks. The commissioners discussed and agreed that ice cream trucks (drivers) should need to do back ground checks like for solicitor's licensees.

Stealth Designs for wireless/free standing towers - Planning Director Gabryszak asked how they felt about requiring stealth designs for free standing towers. Commissioner Williamson did not feel it should be required. Some designs may stand out more. The thoughts were perhaps not for taller poles but it would be easier on shorter poles. There was also a proposal staff was considering to encourage sharing poles.

Chain link fencing - recommend it only be allowed in the agriculture zone. Commissioner Steele suggested to also limiting barbed wire to agriculture only. Commissioner Kilgore suggested perhaps in the industrial zones as well. Commissioner Williamson reminded them about the cell tower discussion last meeting and that there were sometimes valid reasons for the chain link. Commissioner Kilgore asked how this code works with CPTED uses. Planning Director Gabryszak said we can still comply with other types of fencing, our code requires opaque.

Backyards – There was a suggested definition added for protective ground cover. There was some discussion to what materials should be included and weed issues. Commissioner Steele is concerned when we put something into code that doesn't get enforced. Commissioner Williamson responded that we might

relax the code so there is less to be enforced and the HOA's can have more intense regulations. Commissioner MacKay doesn't think we should relax the rules just because it's hard to enforce. Commissioner Cunningham noted that people should know the rules when moving in. Planning Director Gabryszak observed that from this discussion it looks like the majority is against the change, this would be keeping it as it is or adding the protective ground cover. Staff will not support not requiring anything. Commissioner Kilgore said he likes finding a happy medium here of the protective ground cover. Planning Director Gabryszak said we can break these sections out by topic so this can have its own vote and not weigh on any other changes. Commissioner Funk commented that there are other mulch options than just bark.

Parking table – we allow carports in higher density, should it be prohibited. Clarify parking on ERU vs sq. ft. and delete wider stall requirement to avoid conflict with 19.14. Commissioner Cunningham asked if they could do something to make access to garbage surrounds easier to access. Planning Director Gabryszak replied this would help address that. Commissioner Wilkins thinks carports add value especially when there are not garages available.

Conditional uses – remove requirement to protect viewsheds because the State Code doesn't really allow us to protect views. We could designate specific corridors, we haven't done that yet. Commissioner Wilkins commented that just because it's hard doesn't mean we don't want to do it. Planning Director Gabryszak noted to add "designated viewsheds."

Design chapter – this would assemble all other design standards from other sections in to one place.

Open space chapter – this would replace the current open space standards, it added requirements for park space per residential units. It gives flexibility for types of open space that can be provided. Commissioner Wilkins suggested directing fees in lieu to specific projects. Commissioner Steele would hate to see the City lose all pocket parks. Planning Director Gabryszak said this wouldn't get rid of pocket parks but get rid of tiny unusable spaces that aren't being improved. Commissioner Kilgore also mentioned discounts for winter uses like sledding on a detention pond hill.

Signage – there was a request to allow snipe signs. They do want to create a provision for directional signs for special events with an approved event permit in the city. There was some research on electronic signs after direction from City Council. Commissioner Funk asked if there were problems with the JLUS and electronic signs. Planning Director Gabryszak noted that right now they are permitted in the IC zone like schools. They are looking at allowing them in other areas with restrictions. Commissioner Steele is concerned about the 5 second dwell time. Commissioner Williamson didn't find digital price signs for gas stations to be an issue. Commissioner Kilgore commented it may be a problem near residential areas. Commissioner MacKay noted that they could regulate a lot on a sign like the back substrate and amount allowed to be lit. Commissioner Steele would have a problem with canopies in some areas; anytime you take the lights up higher they become more offensive to more people. Commissioner Williamson thought they could limit canopy signs per zone. Commissioner MacKay would prefer not to allow the electronic signs, it's not prohibiting businesses, and whether they come or not is revenue based. Commissioner Williamson likes the change to the snipe signs.

7. Approval of Minutes:

a. May 12, 2016

Commissioner Wilkins amended a comment on pg. 4 to read: although he does not support basement rental code changes he would not like to see prohibitions for residents that already have finished basements in the event that basement rentals are permissible.

Motion made by Commissioner Steele to approve the minutes of May 12, 2016 as amended. Seconded by Commissioner Funk.

8. **Reports of Action.** – No reports tonight.

9. **Commission Comments.** - none

10. **Director's Report:** - Planning Director Gabryszak gave a brief update on the following items.

- a. **Council Actions** – approved: landscaping large lots, ABC Rezone, Fox Hollow, Western Hills, Lakeview Terrace fencing standards.
- b. **Applications and Approvals** – items included in the staff report.
- c. **Upcoming Agendas** – Annexation Boundary plan adjustment
- d. **Other**

11. **Motion to enter into closed session.** - No closed session tonight.

12. **Meeting Adjourned at 8:45 p.m. by Chairman Kirk Wilkins**

9 June 2016
Date of Approval

Nicolette Fike
Nicolette Fike, Deputy City Recorder



Kirk Wilkins
Planning Commission Chair
Kirk Wilkins